

People have a right to focus on pension and health care benefits. People have a right to be concerned about the contracting out of jobs. They have a right to be concerned about the trade agreements, as a matter of fact.

That is why the workers in Flint, MI, are on the picket line today, and that is why, as a U.S. Senator from Minnesota, I strongly support these workers who are out on the picket line.

#### NOMINATION OF JAMES HORMEL

Mr. WELLSTONE. Mr. President, I read today in the paper—and I am not quite sure where we are headed, and I always look forward to having a chance to meet and talk with the majority leader, agree or disagree, on all issues—but I read in the paper the majority leader said he didn't think he would have time to bring up the nomination of James Hormel. That is a terrible mistake.

I have spoken on the floor. I said after the tobacco legislation, I was looking for an opportunity to offer an amendment. Frankly, on the basis of discussions I had with a lot of different people, I decided that it would be better to wait because I was hoping, if you will, that cooler heads would prevail on this matter and we would figure out a way to bring this nomination to the floor.

If it is a debate or discussion, it will be a good debate and good discussion. Too much of the climate has become too poisonous. If the majority leader is basically shutting the door on any action on the floor of the Senate—I hope he isn't; I guess that is my plea to the majority leader: I hope you have not done that—I want to find out as soon as possible. Then, I believe, it will be important for some of us to bring amendments to the floor and, basically, one way or another, have a debate and have an up-or-down vote.

Every Senator is entitled to their own opinion about whether or not James Hormel would be an able Ambassador to Luxembourg, and every Senator is entitled to a vote. I am entitled to my opinion, and I am entitled to a vote. I think the majority of us—well over 60 of us—would vote to confirm this nomination.

I cannot see anything in Mr. Hormel's record—anything in his record, anything in his record—that would disqualify him from this job. I see someone with an enormously successful background in education—that means a lot to me; education has been my life's work—a very successful business person, philanthropist, and very active in the legal profession. For the life of me, there is no reason to stop this nomination, except for the fact—and if this is the fact, let's get it out in the open—that he is gay. If that is what troubles colleagues, come out here and say it. If colleagues want to say he is gay, or if they want to say he has been too outspoken on gay causes, then let's get that out here.

Too many comments have been made in the last several months—made here, there—and I don't think that is good for the Senate. Frankly, the failure of the U.S. Senate to at least bring this nomination to the floor and have an honest discussion and an honest debate—frankly, this is less about Jim Hormel than it is about the Senate. The Senate is far more on trial than is Jim Hormel. This is not good for this institution. If this is just a case of discrimination against somebody because of their sexual orientation, we all have to look ourselves in the mirror. If not, fine, we will have the discussion, we will have the debate, and we will have the vote. But I don't think, as much as I might respect the majority leader or respect his prerogatives, necessarily his word would be the final word, at least in terms of a discussion and a debate. My hope is, we can figure out a way of bringing Mr. Hormel's nomination to the floor and that there will be a vote.

#### CHILDREN'S MENTAL HEALTH

Mr. WELLSTONE. Finally, Mr. President, seeing no other colleague on the floor, I want to talk about this more in detail and in depth when we have the Commerce-State-Justice appropriations bill before us, which I think will be in the next day or so. I am working on an amendment—I hope it can be ready—that actually evolves from a piece of legislation I have been working on for some time dealing with mental health in children.

I have been very lucky to have done a lot of the mental health work with Senator DOMENICI from New Mexico, my Republican colleague. He has certainly been more of the leader than I have, but I have been honored to work with him.

Mr. President, I went on a visit—I will talk about this in more detail, in more depth later—to Lula, LA, about 2 weeks ago as a Senator. I think it was some of the best work I have done as a Senator outside of Minnesota—the best work is in Minnesota. I wanted to go there because I have read some Justice Department reports about the need for real dramatic improvement in the conditions affecting these children.

I see pages here. This is a corrections center, and the kids that are here in the center range in age from 11 to about 18. A lot of the kids I talked to were 14, 15. I did talk to several 11-year-olds as well. I went down there determined—I talked to both of my colleagues from Louisiana, not to sort of say, well, how terrible, Louisiana; only in Louisiana. I do not believe that for a moment. I think we can do a lot better.

My focus had to do with mental health and children. The estimates now made by the Justice Department—there was a pretty powerful front-page story in the New York Times that was written last week that I will get in the RECORD when I offer this amendment.

But the fact of the matter is, the estimates are that about 25 percent of the kids here struggle with mental problems. Many of them actually never committed a crime. I mean, they would be picked up, they would run away from home, be out in the street. A very small percentage committed a violent crime; I guess probably less than 10 percent, closer to 5 percent. I will talk about that in a moment.

But what happens is that these facilities—and this is certainly what happened in Lula—become a dumping ground with kids struggling with mental illness. They should not be there in the first place. To compound the problem, they are there, but with no treatment. And to compound that problem, it becomes pretty brutal with them. They should not be there.

I went to Lula—and, again, I am going to be very careful as not to speak with that much emotion because there is plenty to be emotional about, but to just give a report on the floor of the Senate. I will focus on this again in more detail with the amendment so my colleagues know what the amendment is about.

In the administrative building there were a lot of people from Louisiana that were there, a lot of officials, which was fine. I met the new warden, whom I believe is trying to make changes. He just got there, so it would be unfair to pin any of this on him.

I wanted to go to the solitary confinement cells because I also heard kids were locked up in solitary confinement as many as 23 hours a day for as long as 6 or 7 weeks. I wanted to know which kids. I wanted to know, What does a kid do to be put in solitary confinement like this? What is the criteria you use? I wanted to know more about that.

Initially, we negotiated, and the idea was I would get there, but first I would start off with kids who were eating lunch. I went in, and it was interesting. There were kids eating lunch. I also say, since I think race is still a reality in America, my guess is over 80 percent of the kids of about 500-plus kids were African American. I do not know what the population is in Louisiana—certainly nowhere close to 80 percent.

Kids were eating, and I went up to some kids who were eating, and I just said, "How are you doing?" This one young guy said to me, "Not that good." I said, "What do you mean?" He said, "Well, you see this food?" By this time lots of officials were with me. He said, "See this food?" I said, "Yeah." He said, "We never eat this food. We never have a meal like this. This is just because you're here."

He said, "The table—smell the paint. This was just painted. These tables don't look like this." He said, "These clothes I have on,"—I am just reporting what he said to me—he said, "These clothes I have on, they just gave us this stuff last night. These aren't the clothes we usually wear. It's hot. There's no air conditioning. You

know, we smell—the same clothing, same underwear. We never get new clothing like this.”

Then he went on and he said, “When you go outside and you look at the baskets there, when you look at the hoops, the nets were put on the hoop. We didn’t have any nets on these hoops. This all just happened. This is a show.”

That is the way it started out. I just give that report. Then I walked across the yard, heading over to where the solitary confinement cells are, and there was a group of kids outside. It was very hot. And this one young man just basically broke away from the guards and leaped on to a roof of a building and started running toward me. I had a whole lot of people that were with me, a lot of media people from Louisiana, and again a lot of people from the State.

I went over to where he was, and I said, “You’re going to get in a lot of trouble.” And I think he said, “I know.” I said, “Why are you doing this?” He said, “I want to make a statement.” I said, “What is your statement?” He said, “I want to tell you this is a show. And I want to tell you, when you leave we’re going to be beaten up; we’re going to be retaliated against.”

Mr. President, I then met with four kids and their lawyer from the Southern Poverty Law Center—a great lawyer—for about an hour. They talked about some of the retaliation—which, by the way, I have to give the warden credit. There has been some reduction in this. But the more I was there, the more it became clear to me—and, again, I will, from Fox Butterfield’s article in the New York Times, I will spend more time on this with the amendment.

But it became clear to me that there was precious little by way of vocational ed, hardly any education, not adequate counseling services, not an adequate way of assessing kids. Did they come from a home where there was violence in the home? Were there substance abuse problems? Were they themselves in need of treatment, especially in the mental health area, pharmacological treatment, or other treatment? Hardly adequate medical facilities.

I just have to tell you, Mr. President, I am not so angry at Louisiana because I know you can find plenty of these conditions around the country. But I am wondering how in the world we can let this happen in America.

Some of the kids I met with—one boy had stolen a moped, and thus he wound up here. One was there for breaking and entering and had broken into somebody’s home. Another cut somebody with a knife in a fight, so on and so forth.

But here is my question: I have two questions now. One, which will speak to the amendment that I hope to have ready, and the other goes beyond that. On mental health and children, I really do believe—and I spoke with the war-

den afterwards and, again, I give him credit for, I believe, trying to make changes, and I believe the same with the commissioner of corrections. I am always interested in having things change.

Senator BREAUX said that there is going to be an all-out effort to do a lot more by way of training with the staff there. But my question is whether or not—when it comes to Louisiana or any State in the country, from Louisiana to California, to New York, to Minnesota; though I think there are great differences, great differences right now—the question really is this: Whether or not we are going to, within some kind of framework of integrated mental health services, provide these States with some resources so that, in fact, an assessment can be made, and so that we just do not dump kids in these facilities. And if they are in these facilities because they really have committed a crime, and they need to be in such a facility—although there are many alternatives—then we ought to make sure they get the treatment.

The second thing that I want to say, Mr. President, in this particular case is this has been all contracted out to—I forget the name of the company—and I have to wonder about how we do this. I mean, I have to say, I am all for profit. I am all for a strong private sector, especially the more small business focused it is, the more I like it. But when you are talking about juveniles, they are supposed to be receiving additional help.

They are supposed to get the educational and vocational opportunities. And they are supposed to be able to receive the kind of support services that will enable them, when they are 15 or 16 and after they have been in these facilities, to get out and rebuild their lives.

I have to tell you, America, that I do not think too many of these kids are going to be able to do that. And, frankly, if they went in mixed up, having made a mistake, having done something they should not have done, they are going to come out very different. You might not want to meet them at 10 p.m. at night.

I think what we are doing in some of these facilities is so shortsighted, it is so myopic, it is such a big mistake. Yes, hold people accountable. And if people commit crimes and should be in a corrections center, so be it. But you know what? There are certain standards of decency. There are certain standards about how we treat young people. Every one of these children is some mother’s child, is some father’s child. I do not care whether they are in Lula, LA, or in California, New York, Minnesota, or any other State.

Now, one of the things in Minnesota that I will brag on a little bit, although it is not heaven on Earth, we have tried very hard to do an assessment at the front end of the system and look for alternatives to incarcerating kids. I just think it is an area that even if we

don’t want to look at—sometimes we don’t want to know what we don’t want to know—we better look at this with our eyes open. These are kids. These are kids. A lot of them shouldn’t be there. A lot of them are struggling with mental problems. A lot of them aren’t getting any care whatever. We are talking about the criminalization of mental illness.

Above and beyond that, the other issue I point out is that the overall conditions of this facility are unconscionable. I want to make it clear again to the warden and to Louisiana, it is not just Louisiana. I know that. That just happened to be my first visit. But I do have to tell you that after 3 hours—and I don’t think I am naive; I have done a lot of organizing in a lot of communities with a lot of people who have struggled on the bottom—I have to tell you I was reeling for 3 hours there. I believe we have to do better. I am looking forward to introducing this legislation and maybe it will be an amendment on this bill. I hope I will get good support from my colleagues.

I thank both of my colleagues from Louisiana, in particular, for being supportive, talking with me about the trip, and their very strong interest in working with officials in Louisiana to make things better. There are some people in Louisiana State government who are absolutely committed to doing that. I know that. I certainly hope, as a Senator with an interest in this area, I can help out with their efforts.

What I can’t, however, forget, as I speak on the floor of the Senate, is what I saw. I saw conditions that I didn’t think existed today in America. I saw kids living under conditions that should not be. Kids shouldn’t be assaulted or beaten up for no good reason. That will take us nowhere.

There are new people who are moving in as security guards. There are changes that are being made. But I tell you, the sooner the better; the sooner the better. That is one of the reasons I speak on the floor of the Senate to try to help make these changes happen.

I thank my colleagues for their indulgence. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, notwithstanding the previous order, I ask unanimous consent, detecting no other Senator wishing to speak, I may be permitted to continue for 15 minutes in morning business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERTS. I thank the Chair.